

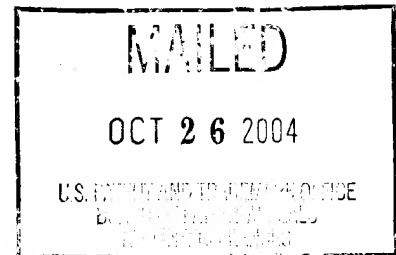
The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Ex parte FRANCIS V. CHISARI and
ANDREAS CERNY

Application No. 08/854,825



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on August 11, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

We were unable to locate a copy of the Hahn¹ and Del Val² references relied on by the examiner on page 3 of the Examiner's Answer mailed March 23, 2004.

¹ Hahn et al. (Hahn), "CD8⁺ T Cell Recognition of an Endogenously Processed Epitope is Regulated Primarily by Residues Within the Epitope," J. Exp. Med., Vol. 176, pp. 1335-1341 (1992)

² Del Val et al. (Del Val), "Efficient Processing of an Antigenic Sequence for Presentation by MCH Class I Molecules Depends on its Neighboring Residues in the Protein," Cell, Vol. 66, pp. 1145-1153 (1991)

Accordingly, it is

ORDERED that the application is returned to the Examiner to locate the missing Hahn and Del Val references, have complete copies scanned into the IFW file, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES



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